



Montgomery County, Maryland

COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850
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This meeting will be televised live on Channel 6; repeated on 6/20/03 at 8 pm and 6/21/03 at 9 am

Tuesday, June 17, 2003

9:00 **INVOCATION** - Ram Ramakrishnan, Sri Siva Vishnu Temple

9:05 **PRESENTATION** honoring Jerry Link, recipient of the 2003 Agnes Meyer Award by Council President Subin and Councilmember Knapp

9:10 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: May 6, 7, 9, 15 and June 3, 2003 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (McGuire)

(2) 9:15 **CONSENT CALENDAR**

A. **Introduction** - Resolution to approve the schedule of FY04 revenue estimates and appropriations (Sherer)

B. **Action** - Amendment #4 to the Council's Contract with Rager, Lehman & Houck for Professional Auditing Services (Kimball)
MFP Committee recommends approval.

C. **Action** - Confirmation of County Executive appointments Commission On Children and Youth: Michelle K. Doan, Raman Gupta, Elena Frenkel, Mudit Gilotra, Jo Jimenez, Candie A. Villafana, Anica Zlotescu (Ferber)

D. **Action** - Confirmation of County Executive appointments to Silver Spring Transportation System Management Advisory Committee: Barbara V. Henry, Robert Huddleston, Victor Weissberg (Ferber)

E. **Action** - Confirmation of County Executive appointments to Victim Services Advisory Board: David T. Bachrach, Deborah Ehrenstein, Raaed N. Tayeh (Ferber)

F. **Action** - Confirmation of County Executive appointments to Water Quality Advisory Group: Charles Andrews, Helen Nowlin-Chantreau, David C. Plummer, Shobhana Sharma, Douglas W. Holy, Scott E. Kauff (Ferber)



(2) 9:15 **CONSENT CALENDAR** *(continued)*

- G. **Introduction** - Special Appropriation to the County Government's FY03 Operating Budget, Department of Police - \$600,110 for Sniper Homicide Investigation Grant
(Source: Federal/State Grant) (McMillan)

Public Hearing/Action is scheduled for 6/24/03 at 1:30 pm.

9:20 **LEGISLATIVE SESSION Day # 19**

- A. Approval of Legislative Journal - May 13 and June 3, 2003 (Edgar)
C. Call of Bills for Final Reading
(3) • **Bill 14-03**, Police - Takoma Park Substation - Rebate (Faden)
MFP Committee recommends approval.

9:30 **DISTRICT COUNCIL SESSION**

- (4) A. **Oral Argument** - Development Plan Amendment 02-2 (Wilson)
Application No: DPA 02-2
Applicant: Gables Residential, Inc. (C. Robert Dalrymple and Mark M. Viani, Attorneys)
Request: To amend Montgomery Village Land Use Plan to remove school designation on Rothbury Drive and construct 7-building multi-family rental apartment complex
Property: Located on Rothbury Drive, southwest of intersection of Snouffers School Road & Goshen Road, Montgomery Village
Recommendations: Planning Staff: Deny
Planning Board: Approve
Hearing Examiner: Deny
Action is tentatively scheduled to follow the oral argument.
- (5) B. **Introduction** - Resolution to create a Maryland Land Preservation Foundation Agricultural District - Bernard Mihm, 18015 Elmer School Road, Dickerson (Wilson)
Public Hearing/Action is scheduled for 7/8/03 at 1:30 pm.
- (5.1) B.1 **Introduction** - Zoning Text Amendment 03-16, Home Occupations - CBD, I-1, and I-4 Zones, sponsored by District Council at request of Planning Board (Wilson)
Action - Resolution to establish public hearing for 7/22/03 at 1:30 pm.
- (6) C. **Action** - Resolution to establish fees for Registered Home Occupation Certificates (Levchenko)
T&E Committee recommendations will be available 6/12/03.
- (7) D. **Action** - Resolution to establish fees for Requests to Waive Parking Standards (Levchenko)
T&E Committee recommendations will be available 6/12/03.
- (8) E. **Action** - Resolution to establish a fee for Zoning Compliance Letters (Levchenko)
T&E Committee recommendations will be available 6/12/03.

9:30 **DISTRICT COUNCIL SESSION** *(continued)*

- (9) **F. Action** - Consideration of Hearing Examiner's Report and Recommendation of Local Map Amendment: (Wilson)
Application No: G-798
Applicant: Batchellors Forest LLC (Stephen Z. Kaufman and Yum Yu Cheng, Attorneys)
Request: Reclassification from R-90 to R-T Zone
Property: 14.74 acres comprising four parcels known as Parcel A, Arcola, Plat 4374; Lot 22, Arcola Manor, Parcel 817; Pt. Hermitage; and Outlot B, Blueridge Manor located at 11601 Georgia Avenue, Wheaton, in 7th Election District
Recommendations: Planning Staff: Approve
Planning Board: Approval with 8 binding elements
Hearing Examiner: Approve
- (10) **G. Action** - Request for Oral Argument and/or Consideration of Hearing Examiner's Report and Recommendation: (Wilson)
Application No: G-803
Applicant: J. Kirby Development, LLC, Contract Purchasers (Scott C. Wallace, Attorney)
Request: Reclassification from R-200/C-1 Zones to PD-9 Zone
Property: Known as Lots 73, 74 and 75, located at 18301 Georgia Avenue, Olney, consisting of 4.84756 acres, in the 8th Election District
Recommendations: Planning Staff: Approve
Planning Board: Approve
Hearing Examiner: Deny
- 11:45 **RECESS**
- (11) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 03-08, Eliminate certain written transcripts - Central Business District and Residential-Mixed Use zones (Wilson)
PHED Committee worksession tentatively scheduled for 6/30/03 at 9:30 am.
- (12) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 03-10, Landscape contractor - C-T and I-1 Zones (Wilson)
PHED Committee worksession will be scheduled at a later date.
- (13) 1:30 **PUBLIC HEARING** - Zoning Text Amendment 03-11, Life Sciences Center amendments (Wilson)
Action is tentatively scheduled for 6/24/03.
- (14) 1:30 **PUBLIC HEARING** - Supplemental Appropriation to the Montgomery County Public Schools' FY03 Operating Budget - \$874,128 for Home and Community Based Services for Children with Autism (Source: State Grant) (Planell)
ED Committee worksession tentatively scheduled for 6/19/03.
- (15) 1:30 **PUBLIC HEARING/ACTION** - Supplemental Appropriation to the County Government's FY03 Operating Budget, Department of Health and Human Services - \$80,490 for Emergency Response Grant (Source: Maryland Department of Health and Mental Hygiene) (McGuire)
HHS Committee recommendation will be available 6/12/03.

- (16) 1:30 **PUBLIC HEARING/ACTION** - Supplemental Appropriation to the County Government's FY03 Operating Budget, Office of Human Resources - \$9,913,030 for Employee Health Benefits Self-Insurance Internal Service Fund (Source: Employee Health Benefits Self-Insurance ISF) (Farber)
MFP Committee recommends approval.
- (17) 1:30 **PUBLIC HEARING/ACTION** - Supplemental Appropriation to the County Government's FY03 Operating Budget, Department of Public Works and Transportation - \$8,311,770 for Snow Removal and Storm Cleanup (Source: General Fund Undesignated Reserves) (Orlin)
T&E Committee recommendation will be available 6/12/03.
- (18) 1:30 **PUBLIC HEARING/ACTION** - Supplemental Appropriation to the County Government's FY03 Operating Budget, Montgomery County Fire and Rescue Services, Departments of Health and Human Services and Police - \$312,150 for FY02 State Domestic Preparedness Program (Source: Federal Grant) (Davidson)
PS Committee recommends approval.
- (19) 1:30 **PUBLIC HEARING/ACTION** - Supplemental Appropriation to the County Government's FY03 Operating Budget, Montgomery County Fire and Rescue Services - \$740,000 for FY02 Urban Search and Rescue Weapons of Mass Destruction Grant (Source: Federal Grant) (Davidson)
PS Committee recommends approval.
- (20) 1:30 **PUBLIC HEARING/ACTION** - Special Appropriation to the County Government's FY03 Capital Budget - \$2,000,000 for BlackRock Center for the Arts (Source: GO Bonds) (Davidson)
- 3:00 **ADJOURN**
- (21) 7:30 **PUBLIC HEARING** - Zoning Text Amendment 03-09, Moderately Priced Dwelling Units - Large lot zones (Wilson)
PHED Committee worksession tentatively scheduled for 7/23/03 at 2:30 pm..

The following appointments were received from the County Executive and are tentatively scheduled for confirmation on June 24, 2003:

Energy and Air Quality Committee: Jeffrey D. Komarow, Gurpreet Singh, Frank Stodolsky, David P. Novello, Sandi Rudenstein

Interagency Coordinating Board for Community Use of Public Facilities: Robert O. Muller

COUNCIL MEETINGS

**Note: See the IN COMMITTEE for a listing of the
Committee meetings currently scheduled.**

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| June 24, 2003 | 9:00 am | Regular Session |
| July 1, 2003 | 9:00 am | Regular Session |
| July 8, 2003 | 9:00 am | Regular Session |
| July 15, 2003 | 9:00 am | Regular Session |
| July 22, 2003 | 9:00 am | Regular Session |
| July 29, 2003 | 9:00 am | State Legislation |
| July 29, 2003 | 10:15 am | Regular Session |

Public Hearings - To Testify call 240-777-7931

June 24, 2003

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| 1:30 pm | Bill 16-03, Homestead Property Tax Credit - 2004 Tax Year |
| 1:30 pm | Bill 17-03, Personnel - Retirement - Technical Amendments |
| 1:30 pm | Supplemental Appropriations for MCPS <ul style="list-style-type: none">➤ \$150,000 for Entrepreneurial Activities Fund➤ \$3,367,263 for Early Reading First Fund➤ \$250,000 for Project SERV |
| 1:30 pm | Supplemental Appropriations for County Government <ul style="list-style-type: none">➤ \$204,000 for Dept. Public Libraries Early Reading First Grant➤ \$600,110 for Sniper Homicide Investigation Grant➤ \$534,000 for CNG Fueling Station➤ \$95,000 for Kensington Revitalization |
| 1:30 pm | Resolution to increase the fee schedule for the Administration and enforcement of the Montgomery County Zoning Ordinance - Signs |
| 1:30 pm | Resolution to increase the annual fee for the enforcement of the Montgomery County Zoning Ordinance - Special Exceptions |

July 1, 2003

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| 1:30 pm | Resolution to approve Starpower Cable Franchise Settlement Agreement |
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July 8, 2003

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| *1:30 pm | ZTA 03-12, Grave sites on the premises of a place of worship - RE-2 Zone |
| 1:30 pm | Resolution to create a Maryland Land Preservation Foundation Agricultural District - Bernard Mihm, 18015 Elmer School Road, Dickerson |

July 15, 2003

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| 1:30 | ZTA 03-13, Registered noncomplying multi-family dwelling |
| 1:30 | ZTA 03-14, Animal boarding place - RE-2C zone |
| 1:30 | ZTA 03-15, Benefit performance |



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